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Case No. 4908

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/611,414
Applicant(s) : David P. Holden et al.
Filed : June 30, 2003
TC/A.U. : 2183
Examiner : To be assigned
For : **A SYSTEM AND METHOD FOR
SNP GENOTYPE
CLUSTERING**
Customer No. : 22896

Confirmation No.: 1954

CERTIFICATE OF MAILING

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Date of Deposit: June 7, 2005

Signature: Cheri Gomez

Type Name of Depositing Party: Cheri Gomez

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
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Alexandria, VA 22313-1450

Sir:

Applicants submit herewith patents, publications or other information (listed on the attached Form PTO/SB/08A) of which they are aware, which may be material to the examination of this application and in respect of which there may be a duty to disclose in accordance with 37 CFR §1.56.

This Information Disclosure Statement:

- (a) ☐ accompanies a new patent application submitted herewith.
- (b) ☐ is filed within three months after the filing date of the application or within three months after the date of entry of the national stage of a PCT application as set forth in 37 CFR §1.491.
- (c) ☒ as far as is known to the undersigned, is filed before the mailing date of a first Office action on the merits.
- (d) ☐ as far as is known to the undersigned, is filed before the mailing date of a first

Office action after the filing of a request for continued examination under § 1.114.

- (e) ☐ is filed after the first Office Action and more than three months after the application's filing date or PCT national stage date of entry filing but, as far as is known to the undersigned, prior to the mailing date of either a final action under §1.113, a notice of allowance under §1.311, whichever occurs first, and is accompanied by either the fee (\$180) set forth in 37 CFR §1.17(p) or a certification as specified in 37 CFR §1.97(e), as checked below. Should any fee be due, the U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**
- (f) ☐ is filed after the mailing date of either a final rejection or a notice of allowance, but on or before the payment of the issue fee, and is accompanied by the fee (\$180) set forth in 37 CFR §1.17(i)(1) **and** a certification as specified in 37 CFR §1.97(e), as checked below. **This document is to be considered as a petition requesting consideration of the information disclosure statement.** The U.S. Patent and Trademark Office is hereby authorized to charge Deposit Account No. 01-2213 in the amount of \$180.00 to cover the cost of this Information Disclosure Statement. Any deficiency or overpayment should be charged or credited to this deposit account. **A duplicate of this sheet is enclosed.**

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- ☐ Each item of information contained in the information disclosure statement was first cited in a communication mailed from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication mailed from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this information disclosure statement.

A copy of the items on PTO/SB/08A:

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[] are not supplied because they were previously cited by or submitted to the Office in prior application Serial No. _____, filed _____ and relied upon in this application for an earlier filing date under 35 USC §120.

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In accordance with 37 CFR §1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR §1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR §1.98 and MPEP §609 and the Examiner is respectfully requested to consider the listed references.

Respectfully submitted,

Date: 6-2-2005



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| | | | | Application Number | 10/611,414 |
| | | | | Filing Date | June 30, 2003 |
| | | | | First Named Inventor | David P. Holden et al. |
| | | | | Group Art Unit | 2183 |
| Examiner Name | To be assigned | | | | |
| Attorney Docket No. | 4908 | | | | |
| Sheet | 1 | of | 1 | | |

| U.S. PATENT DOCUMENTS | | | | | | |
|-----------------------|-----------------------|----------------------|--------------------------------------|---|---|--|
| Examiner Initials* | Cite No. ¹ | U.S. Patent Document | | Name of Patentee or Applicant of Cited Document | Date of Publication of Cited Document MM-DD-YYYY | Pages, Columns, Lines Where Relevant Passages or Relevant Figures Appear |
| | | Number | Kind Code ² (if known) | | | |
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| | | Office ³ | Number ⁴ | Kind Code ⁵ (if known) | | | | |
| | 02 | WO | 02/08469 | A2 | Applera Corp. | 01-31-2002 | | |
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| OTHER ART - NON PATENT LITERATURE DOCUMENTS | | | |
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| Examiner Initials* | Cite No. ¹ | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T ² |
| | 03 | CUTLER, DAVID J. et al., "High-Throughput Variation Detection and Genotyping Using Microarrays", <i>Genome Research</i> , November 2001, pages 1913-1925, vol. 11, no. 11. | |
| | 04 | LIVAK, KENNETH J. "Allelic Discrimination Using Fluorogenic Probes and the 5' Nuclease Assay", <i>Genetic Analysis: Biomolecular Engineering</i> , Elsevier Science, February 1999, pages 143-149, vol. 14. no. 5-6. | |
| | 05 | MICHAEL OLIVIER, et al., "High-Throughput Genotyping of Single Nucleotide Polymorphisms Using New Biplax Invader Technology", <i>Nucleic Acids Research</i> , April 2002, pages 1-8, vol. 30, no. 12 e53. | |
| | 06 | RANADE, KOUSTUBH et al., "High-Throughput Genotyping with Single Nucleotide Polymorphisms", <i>Genome Research by Cold Spring Harbor Laboratory Press</i> , 2001, pages 1262-1268, vol. 11, no. 7. | |
| | 07 | International Search Report for International Application no. PCT/US03/20528 dated 22 February 2005. | |

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|--------------------|--|-----------------|--|
| Examiner Signature | | Date Considered | |
|--------------------|--|-----------------|--|

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¹ Unique citation designation number. ² See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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